

Mr. PENROSE. I do not intend to oppose the motion of the Senator from Ohio, but I should like to have it distinctly understood on his part, as I believe it is, and on the part of the Senate that it shall not interfere with the question which the Senate has already voted to take up. I refer to the Pennsylvania Senatorial case.

Mr. FORAKER. I understand that if this bill is taken up and we proceed to its consideration it will be under the same rule that has obtained in the consideration of the Hawaiian bill, and that at any time, if a Senator is ready to speak on that subject, he can do so, and if it reaches a place where the Senator from Pennsylvania wants to take a vote, he can do so.

Mr. PENROSE. I desire to state that under those circumstances I shall not oppose the motion. I also desire to state that I expect at an early day to ask for a vote upon the Pennsylvania case.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Ohio, to proceed to the consideration of the bill suggested by him, known as the revenue bill for the island of Puerto Rico.

The motion was agreed to.

#### EXECUTIVE SESSION.

Mr. DAVIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 2, 1900, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate March 1, 1900.*

##### APPOINTMENT BY TRANSFER IN THE ARMY.

Second Lieut. Charles H. Whipple, jr., First Artillery, from the artillery arm to the infantry arm, February 26, 1900, with rank from February 1, 1900.

##### PROMOTIONS IN THE ARMY.

##### Medical Department.

Maj. Robert M. O'Reilly, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, February 21, 1900, vice Koerber, retired from active service.

Capt. William J. Wakeman, assistant surgeon, to be surgeon with the rank of major, February 21, 1900, vice O'Reilly, promoted.

##### SURVEYOR OF CUSTOMS.

Thomas W. Wheeler, of New York, to be surveyor of customs for the port of Port Jefferson, in the State of New York, to succeed G. Frank Bayles, whose term of office has expired by limitation.

##### POSTMASTERS.

Homer A. Plimpton, to be postmaster at Perris, in the county of Riverside and State of California, in the place of Dora Austin, whose commission expires March 27, 1900.

F. A. Root, to be postmaster at Miami, in the county of Dade and State of Florida, in the place of J. S. Warner, resigned.

Francis Marion McDowell, to be postmaster at Winamac, in the county of Pulaski and State of Indiana, in the place of W. E. Jackson, whose commission expired March 6, 1898.

J. H. Smith, to be postmaster at Downs, in the county of Osborne and State of Kansas, in the place of S. W. Carney, whose commission expires March 10, 1900.

Edward A. Ellis, to be postmaster at Newton Center, in the county of Middlesex and State of Massachusetts, in the place of Edward A. Ellis, whose commission expires March 13, 1900. (Reappointed.)

Stephen Osgood, to be postmaster at Georgetown, in the county of Essex and State of Massachusetts, in the place of A. B. Comins, whose commission expires March 25, 1900.

William F. Wiley, to be postmaster at Peabody, in the county of Essex and State of Massachusetts, in the place of T. H. Jackman, whose commission expires March 27, 1900.

Eugene T. Slayton, to be postmaster at Lapeer, in the county of Lapeer and State of Michigan, in the place of Irving McArthur, whose commission expired February 24, 1900.

Frank L. Redfield, to be postmaster at Cloquet, in the county of Carlton and State of Minnesota, in the place of G. D. Muggah, whose commission expires March 3, 1900.

Charles A. Sawyer, to be postmaster at Jackson, in the county of Cape Girardeau and State of Missouri, in the place of J. E. Schmuke, whose commission expires March 25, 1900.

William C. Collins, to be postmaster at Homer, in the county of Cortland and State of New York, in the place of C. E. Wills, deceased.

Gilbert Francis, to be postmaster at Ellenville, in the county of Ulster and State of New York, in the place of L. R. Benedict, whose commission expires March 25, 1900.

Charles T. Jackson, to be postmaster at Goshen, in the county of Orange and State of New York, in the place of Theodore Smith, whose commission expires March 30, 1900.

Frederick T. Miles, to be postmaster at Salem, in the county of Columbiana and State of Ohio, in the place of F. P. Dunlap, whose commission expires March 13, 1900.

Byron G. Hahn, to be postmaster at Wilkesbarre, in the county of Luzerne and State of Pennsylvania, in the place of E. F. Bogert, removed.

James H. Morrison, to be postmaster at Marienville (late Marionville), in the county of Forest and State of Pennsylvania, in the place of H. H. McClellan, whose commission expired January 15, 1900.

George B. Jacobus, to be postmaster at Caldwell, in the county of Essex and State of New Jersey, in the place of Stephen Van Order, whose commission expired December 19, 1899.

#### WITHDRAWALS.

*Executive nominations withdrawn March 1, 1900.*

A. C. Cooke, to be postmaster at Truckee, in the State of California.

William N. Conn, to be postmaster at Winamac, in the State of Indiana.

Henry C. Mead, to be postmaster at Caldwell, in the State of New Jersey.

James Nash, to be postmaster at Rankin Station, in the State of Pennsylvania.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate, March 1, 1900.*

##### CONSULS.

George B. Anderson, of the District of Columbia, now consul at Grenoble, France, to be consul of the United States at Prescott, Canada.

Grenville James, of New York, now consul at Prescott, Canada, to be consul of the United States at Grenoble, France.

##### POSTMASTER.

William M. McKim, to be postmaster at Oil City, in the county of Venango and State of Pennsylvania.

#### HOUSE OF REPRESENTATIVES.

THURSDAY, March 1, 1900.

The House met at 12 o'clock m., and was called to order by the Speaker.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read.

##### LEAVE TO WITHDRAW PAPERS.

By unanimous consent, on motion of Mr. SULLOWAY, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of John N. Bruce, Fifty-fifth Congress, no adverse report having been made thereon.

##### C. E. MARR AND E. H. PIERCE.

Mr. LANDIS. I ask unanimous consent for the present consideration of the bill (S. 1740) to authorize C. E. Marr and E. H. Pierce to accept silver watches awarded to them by the government of the Dominion of Canada in recognition of their services in rescuing British sailors.

The bill was read, as follows:

*Be it enacted, etc., That C. E. Marr and E. H. Pierce, keepers of the Cuckolds, Maine, fog-signal station, be, and are hereby, authorized to accept each a silver watch awarded to them, respectively, by the government of the Dominion of Canada in recognition of their services in rescuing the captain and crew of the schooner Aurora, of Harboursville, Nova Scotia, on January 4, 1896.*

THE SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICHARDSON. I should like to have the gentleman from Indiana make some explanation of this matter and state whether the bill has been reported by any committee, and if so, what committee.

Mr. LANDIS. The bill explains itself. It simply authorizes the parties whose names are mentioned to accept silver watches voted to them by the government of the Dominion of Canada in recognition of their heroism displayed in rescuing certain people

who were wrecked on a stranded schooner. The bill is unanimously reported by the Committee on Foreign Affairs.

Mr. TALBERT. I could not hear the reading of the bill. I should like to ask the gentleman if it is a bill that carries any appropriation from the Treasury of the United States?

Mr. LANDIS. None whatever.

Mr. RICHARDSON. We should like to be informed as to the facts in reference to the loss of the schooner.

Mr. LANDIS. The schooner was wrecked.

Mr. RICHARDSON. When and where?

Mr. LANDIS. Off the coast of Nova Scotia.

Mr. RICHARDSON. Recently?

Mr. GAINES. Were the contents of the schooner saved? [Laughter.]

Mr. LANDIS. I think that the gentlemen whose names are mentioned in the bill were relieved from all responsibility of assisting to unload the schooner.

Mr. RICHARDSON. I understand that the watches which are to be presented to them are silver watches.

Mr. LANDIS. Silver watches.

Mr. RICHARDSON. Not gold watches?

Mr. LANDIS. Not gold watches.

Mr. PAYNE. Unfortunately, the bill can not be amended in that respect. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading.

The SPEAKER. The Chair will state to the gentleman from Indiana that the engrossed copy of the bill is not here, and the Chair dislikes to have a bill passed which is not properly before the House. The matter may be held in suspension until the engrossed copy is received.

Mr. RICHARDSON. I should like to ask the gentleman if he will not at that time give the House the benefit of a statement as to who these two persons are, so that we may know more about the matter. Are they citizens of the United States?

Mr. LANDIS. They are citizens of the United States.

Mr. RICHARDSON. The bill does not say so, and we do not know where they reside or anything about it. I presume it is all right, but we ought to know something about who the parties are.

Mr. LANDIS. I will see that the engrossed copy is brought before the House, and shall then give an explanation which I am certain will be satisfactory to the distinguished gentleman from Tennessee.

JACOB S. ENGLEMAN.

Mr. QUARLES. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8188) to amend the act approved March 3, 1899, for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes.

The SPEAKER. The gentleman from Virginia asks unanimous consent for the present consideration of the bill which the Clerk will report.

The bill was read, as follows:

*Be it enacted, etc.* That so much of the act for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, approved March 3, 1899, as authorizes and directs the Secretary of the Treasury to pay to the legal representatives of Jacob S. Engleman, deceased, late of Augusta County, Va., \$510 be repealed. In lieu thereof there shall be appropriated to Jacob S. Engleman, administrator of John Engleman, deceased, late of Augusta County, Va., \$510.

Mr. PAYNE. Mr. Speaker, I would like to hear a statement. It was impossible to get an idea of what the bill was by the reading.

Mr. QUARLES. I wish to offer an amendment which makes it plainer.

The SPEAKER. Before proceeding further, the gentleman from New York asks the gentleman from Virginia to make a short statement. Unanimous consent has not yet been given.

Mr. PAYNE. We could not hear the bill read.

Mr. QUARLES. This is simply to correct an error in a law that was passed last session, which directed \$510 to be paid to the personal representatives of Jacob S. Engleman, when it should have been \$510 to Jacob S. Engleman, administrator of the estate of John S. Engleman, deceased. It simply makes that correction.

Mr. MCRAE. It does not change the amount?

Mr. QUARLES. It does not change the amount.

Mr. PAYNE. Has the bill been reported from a committee?

Mr. QUARLES. The bill has been reported favorably.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. QUARLES. I offer an amendment.

The Clerk read as follows:

Strike out all after the word "repealed," in line 1, page 2, and insert: "And in lieu thereof there is appropriated to Jacob S. Engleman, adminis-

trator of John Engleman, deceased, late of Augusta County, Va., the sum of \$510, and the same is directed to be paid him by the Secretary of the Treasury."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

ARID LANDS.

Mr. SHAFROTH. Mr. Speaker, I ask unanimous consent that there be read at the Clerk's desk a memorial of governors of States which include arid lands, relative to certain legislation now pending in this body.

The SPEAKER. The gentleman from Colorado asks unanimous consent to have read at the Clerk's desk a memorial of certain governors.

Mr. PAYNE. Mr. Speaker, I think this should take the usual order.

The SPEAKER. Objection is made.

ADDITIONAL EMPLOYEES IN HEATING AND VENTILATING DEPARTMENT.

Mr. BULL. Mr. Speaker, I submit the following privileged report from the Committee on Accounts.

The Clerk read as follows:

*Resolved.* That the Speaker of the House is hereby authorized to appoint the following additional employees in the heating and ventilating department of the House wing of the Capitol, who shall be paid out of the contingent fund of the House during the Fifty-sixth Congress, until otherwise provided for, as follows: One assistant engineer, at the rate of \$1,200 per annum; 1 fireman, at the rate of \$900 per annum, and 2 laborers, at the rate of \$720 per annum each.

The SPEAKER. The Chair would ask the gentleman from Rhode Island if the present law does not require these firemen to be appointed by the Architect of the Capitol, with the approval of the Speaker?

Mr. BULL. No, sir; I think not.

The question was taken, and the resolution was agreed to.

On motion of Mr. BULL, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

CONTESTED-ELECTION CASE—ALDRICH AGAINST ROBBINS.

Mr. MANN. Mr. Speaker, I call up as a matter of privilege the contested-election case of Aldrich against Robbins, which is House resolution 145, and ask for the reading of the resolution.

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent, and I know the gentleman from Illinois will not object, before the motion is submitted that I may be permitted to make a statement of a minute or two.

Mr. MANN. Certainly.

Mr. BARTLETT. Mr. Speaker, the views of the minority, which were prepared and filed along with the report of the majority of the committee, at the time that the case was argued and at the time it was decided, and during the time it was being considered by the minority who prepared the report, my colleague upon the committee, the gentleman from Mississippi [Mr. Fox], who is a member of the committee and has been so during the Fifty-fifth Congress and now, was present. He was called home. He is now at home on account of the very serious and most likely fatal illness of his wife.

I received some days ago a letter from him stating the condition of his wife—that was after the case had been reported—in which he said, "I hope the Robbins case can be postponed until my return." I will not read the balance of the letter because it has reference solely to the condition of his wife. On yesterday afternoon, returning to my hotel, I found this telegram: "Wife very low. Please have Robbins case postponed. A. F. Fox."

Mr. MOODY of Massachusetts. I would like to ask the gentleman from Georgia if the gentleman to whom he alludes wrote the minority report?

Mr. BARTLETT. He did not; but answering the question of my friend from Massachusetts, who is a fair man and who desires to be courteous and extend all courtesy to others no matter where they come from, that Mr. Fox is an able lawyer, is a member of this committee, and it is the only committee in the House of which he is a member, and if the case is to be argued thoroughly, and if the House desires information as to the facts and the law of the case, I suggest to the gentleman from Massachusetts and to gentlemen on that side that Mr. Fox being an able lawyer and being an old member of this House, he ought to be present and be permitted to argue the case if he wishes to. It is a privilege and a courtesy that ought to be extended to him as a minority member of the committee by the other members of the committee and the House. He not only concurred in the minority report, but he has taken the evidence, and has with him an abstract of it and a brief and everything of that kind, expecting to return, if he could, and argue the case; and it is only by the interposition of Divine Providence in its affliction upon him and his family, the sickness of his wife, who is now hovering between life and death, and perhaps



whose life has now already departed, that his presence in the House is made impossible.

Mr. MANN. Mr. Speaker, it would be very far from me to refuse to extend any courtesy to the gentleman from Georgia or the gentleman from Mississippi. The gentleman from Mississippi is a member of the minority committee and is detained at home by the serious illness of his wife, and under ordinary circumstances a decent respect for his feelings might require us to postpone this case. It is, however, true, Mr. Speaker, that he took but little or no part in the consideration of this case in committee, and after the case had been considered by the committee, at the request of the gentleman from Mississippi [Mr. Fox], the majority of the committee gave to the minority two or three weeks' extra time in which to prepare the report, with the express understanding that no further postponement in this case should be granted on account of the absence of the gentleman from Mississippi, an understanding which was acquiesced in at the time by the gentleman from Mississippi. Notice has been given in the House that this case would be called up, and it is well known that certain gentlemen of the minority not on the committee have already prepared to argue this case on account of the absence of the gentleman from Mississippi, and therefore I can see no reason for the further postponement of the resolution.

Mr. BARTLETT. Mr. Speaker, if my friend will permit me to call his attention to the agreement not to postpone, I will suggest to him that he ought in all fairness to state that that agreement was made when it was thought that the case would be gotten up two days after the report was filed. That not having been done, it gives the matter a new aspect, and the gentleman knows that every time he has mentioned the matter to me I have distinctly stated to him that I would make no agreement about it.

Mr. MANN. Mr. Speaker, I do not complain in any way of the attitude of the gentleman from Georgia. He has been very courteous and is a courteous gentleman at all times, but it is still true that the understanding on our part was that this case should be proceeded with in the absence of the gentleman from Mississippi. I call up the resolution.

The SPEAKER. Let the resolution be reported.

The Clerk read as follows:

*Resolved*, That Gaston A. Robbins was not elected a member of the Fifty-sixth Congress from the Fourth Congressional district of Alabama, and is not entitled to a seat therein.

*Resolved*, That William F. Aldrich was elected a member of the Fifty-sixth Congress from the Fourth Congressional district of Alabama, and is entitled to a seat therein.

The SPEAKER. Does the gentleman from Georgia wish to have the minority resolution reported at the same time?

Mr. BARTLETT. Yes, Mr. Speaker; but I want to raise the question of consideration at the proper time. I do not desire to waive the question of consideration by having the minority resolution read. I desire to ask if reading the minority resolution will waive the question of consideration?

The SPEAKER. It will not. Does the gentleman wish to have the minority resolution pending?

Mr. BARTLETT. I do.

The SPEAKER. Let the minority resolution be read.

The Clerk read as follows:

*Resolved*, That William F. Aldrich was not elected a member of the House of Representatives from the Fourth Congressional district of Alabama to the Fifty-sixth Congress, and is not entitled to the seat.

*Resolved*, That Gaston A. Robbins was duly elected a member of the House of Representatives for the Fifty-sixth Congress from the Fourth Congressional district of Alabama, and is entitled to the seat therein.

The SPEAKER. The question is raised by the gentleman from Georgia, Will the House consider the case of Aldrich against Robbins?

Mr. MANN. Has the Chair already ruled on the question of the gentleman from Georgia [Mr. BARTLETT] as to whether he has the right to raise the question of consideration?

The SPEAKER. The Chair has already ruled upon that question. All debate before that was purely preliminary.

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. MANN and several others. Division, Mr. Speaker.

The SPEAKER. A division is demanded.

Mr. MANN. Mr. Speaker, I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 137, nays 144, answered "present" 1, not voting 70; as follows:

## YEAS—137.

Acheson,	Bromwell,	Clarke, N. H.	Davidson,
Adams,	Brosius,	Cochrane, N. Y.	Dayton,
Alexander,	Brown,	Cooper, Wis.	Dick,
Allen, Me.	Burke, S. Dak.	Corliss,	Dolliver,
Baker,	Burkett,	Cousins,	Dovener,
Barham,	Burleigh,	Cromer,	Eddy,
Bartholdt,	Burton,	Crump,	Emerson,
Bishop,	Butler,	Crumpacker,	Esch,
Boutell, Ill.	Calderhead,	Curtis,	Fletcher,
Bowersock,	Cannon,	Cushman,	Fordney,
Brick,	Capron,	Davenport, S. A.	Foss,

Fowler,	Howell,	Minor,	Spalding,
Freer,	Jack,	Moody, Mass.	Sprague,
Gamble,	Jenkins,	Moody, Oreg.	Steele,
Gardner, Mich.	Jones, Wash.	Morris,	Stevens, Minn.
Gardner, N. J.	Joy,	Needham,	Stewart, N. J.
Gill,	Kahn,	O'Grady,	Stewart, Wis.
Gillet, N. Y.	Kerr,	Olsted,	Sullivan,
Gillett, Mass.	Ketcham,	Otjen,	Tawney,
Graff,	Knox,	Overstreet,	Taylor, Ohio
Graham,	Lacey,	Parker, N. J.	Thomas, Iowa
Greene, Mass.	Landis,	Payne,	Thropp,
Grosvenor,	Linney,	Pearre,	Tongue,
Grout,	Littlefield,	Phillips,	Van Voorhis,
Grow,	Long,	Pugh,	Vreeland,
Hamilton,	Lovering,	Ray,	Wanger,
Haugen,	Lybrand,	Reeder,	Waters,
Hedge,	McCleary,	Roberts,	Watson,
Hemenway,	McPherson,	Russell,	Weaver,
Henry, Conn.	Mahon,	Shattuc,	Weeks,
Hepburn,	Marsh,	Showalter,	White,
Hill,	Mercer,	Smith, Ill.	Young, Pa.
Hitt,	Mesick,	Smith, Samuel W.	
Hoffecker,	Metcalf,	Smith, Wm. Alden	
Hopkins,	Miller,	Southard,	

## NAYS—144.

Adamson,	Davey,	Little,	Ruppert,
Allen, Ky.	Davis,	Livingston,	Ryan, N. Y.
Allen, Miss.	De Armond,	Lloyd,	Ryan, Pa.
Atwater,	De Graffenreid,	McAleer,	Scudder,
Bailey, Tex.	De Vries,	McClellan,	Shackelford,
Ball,	Dinsmore,	McCulloch,	Shafroth,
Bankhead,	Dougherty,	McDowell,	Sheppard,
Barber,	Elliott,	McLain,	Sibley,
Bartlett,	Finley,	McRae,	Sims,
Bell,	Fitzgerald, Mass.	Maddox,	Slayden,
Bellamy,	Fitzgerald, N. Y.	Mann,	Smith, H. C.
Benton,	Foster,	May,	Snodgrass,
Berry,	Gaines,	Meekison,	Spight,
Bradley,	Gaston,	Meyer, La.	Stark,
Brantley,	Gilbert,	Miers, Ind.	Stephens, Tex.
Breazeale,	Glynn,	Mondell,	Stokes,
Brenner,	Gordon,	Moon,	Sulzer,
Brewer,	Green, Pa.	Muller,	Sutherland,
Brundidge,	Griffith,	Naphen,	Talbert,
Burke, Tex.	Griggs,	Neville,	Taylor, Ala.
Burleson,	Henry, Miss.	Noonan,	Terry,
Burnett,	Henry, Tex.	Norton, S. C.	Thayer,
Caldwell,	Howard,	Otey,	Thomas, N. C.
Carmack,	Jett,	Pierce, Tenn.	Turner,
Catchings,	Johnston,	Quarles,	Underwood,
Chanler,	Jones, Va.	Randsell,	Vandiver,
Clark, Mo.	Kitchin,	Rhea, Ky.	Wheeler, Ky.
Clayton, Ala.	Kleberg,	Rhea, Va.	Williams, J. R.
Clayton, N. Y.	Klutz,	Richardson,	Williams, W. E.
Cochran, Mo.	Lamb,	Ridgely,	Williams, Miss.
Cooper, Tex.	Lanham,	Riordan,	Wilson, Idaho
Cowherd,	Latimer,	Rixey,	Wilson, N. Y.
Crawford,	Lentz,	Robb,	Wilson, S. C.
Cummings,	Lester,	Robinson, Ind.	Young, Va.
Cusack,	Levy,	Robinson, Nebr.	Zenor,
Daly, N. J.	Lewis,	Rucker,	Ziegler,

## ANSWERED "PRESENT"—1.

Hull.

## NOT VOTING—70.

Babcock,	Driggs,	Loud,	Sherman,
Bailey, Kans.	Driscoll,	Loudenslager,	Small,
Barney,	Epes,	McCall,	Smith, Ky.
Bingham,	Paris,	Morgan,	Sparkman,
Boreing,	Fitzpatrick,	Mudd,	Sperry,
Boutelle, Me.	Fleming,	Newlands,	Stallings,
Broussard,	Fox,	Norton, Ohio	Stewart, N. Y.
Brownlow,	Gayle,	Packer, Pa.	Swanson,
Bull,	Gibson,	Pearce, Mo.	Tate,
Campbell,	Hall,	Polk,	Tompkins,
Connell,	Harmer,	Powers,	Underhill,
Cooney,	Hawley,	Prince,	Wachter,
Cox,	Hay,	Reeves,	Wadsworth,
Crowley,	Heatwole,	Robbins,	Warner,
Dahle, Wis.	Lane,	Robertson, La.	Weymouth,
Dalzell,	Lawrence,	Rodenberg,	Wright,
Davenport, S. W.	Littauer,	Salmon,	
Denny,	Lorimer,	Shelden,	

So the House refused to consider the election case.

The SPEAKER. The Clerk will announce the pairs.

Mr. HULL. I wish to inquire whether the gentleman from Virginia, Mr. HAY, voted on this question?

The SPEAKER. He is not recorded.

Mr. HULL. Then I desire to withdraw my vote, as I have a general pair with him and was not at liberty to vote in his absence.

The SPEAKER. Without objection, the vote will be withdrawn.

Mr. MANN. I ask to change my vote from "aye" to "no."

The SPEAKER. The change can be made. The Clerk will again call the gentleman's name.

Mr. MANN's name was again called; and he voted "no."

The following pairs were announced:

Until further notice:

Mr. PACKER of Pennsylvania with Mr. POLK.

Mr. WRIGHT with Mr. HALL.

Mr. HULL with Mr. HAY.

Mr. SHERMAN with Mr. DRIGGS.

Mr. DALZELL with Mr. SWANSON.

Mr. BAILEY of Kansas with Mr. SMITH of Kentucky.

Mr. LANE with Mr. SALMON.  
 Mr. McCALL with Mr. EPES.  
 Mr. BOREING with Mr. FITZPATRICK.  
 Mr. GIBSON with Mr. TATE.  
 Mr. WEYMOUTH with Mr. BROUSSARD.  
 For one week:  
 Mr. HEATWOLE with Mr. CROWLEY.  
 After Friday next:  
 Mr. HEMENWAY with Mr. MIERS of Indiana.  
 Until Monday next:  
 Mr. TOMPKINS with Mr. UNDERHILL.  
 Until Wednesday next:  
 Mr. CONNELL with Mr. STANLEY W. DAVENPORT.  
 For this day:  
 Mr. BROWNLOW with Mr. NEWLANDS.  
 Mr. BOUTELLE of Maine with Mr. FOX.  
 Mr. RODENBERG with Mr. SMALL.  
 Mr. SHELDEN with Mr. COX.  
 Mr. LOUDENSLAGER with Mr. STALLINGS.  
 Mr. HAWLEY with Mr. ROBERTSON of Louisiana.  
 On this vote:  
 Mr. BINGHAM with Mr. GAYLE.  
 Mr. BABCOCK with Mr. NORTON of Ohio.  
 Mr. BULL with Mr. COONEY.  
 Mr. LAWRENCE with Mr. FLEMING.  
 Mr. WACHTER with Mr. DENNY.  
 Mr. MUDD with Mr. CAMPBELL.  
 Mr. DOLLIVER with Mr. CLARK of Missouri.

The result of the vote was announced as above stated.

Mr. MANN. I move to reconsider the vote by which consideration of the election case was refused.

Mr. BARTLETT. I raise the point of order that this vote can not be reconsidered.

The SPEAKER. The point is well taken. The Chair directs the Clerk to call the committees for the business of the morning hour.

#### CALL OF COMMITTEES.

The SPEAKER. The Clerk will proceed with the call of committees.

The Committee on Elections No. 1 was called.

Mr. MANN. Mr. Speaker, if it be in order, I call up for present consideration the contested-election case of Aldrich vs. Robbins, reported from the Committee on Elections No. 1.

Mr. RICHARDSON. Mr. Speaker, I make the point of order that that matter has just been settled by a direct vote of the House and that it is not in order again to be called up under the rule to-day.

The SPEAKER. The Chair would ask the gentleman from Illinois if this is by direction of his committee?

Mr. MANN. It is not, Mr. Speaker. I have not been instructed to call it up under the call of committees.

The SPEAKER. The point of order raised by the gentleman from Tennessee, the Chair thinks, is not well taken; but the gentleman in charge of the report of the Committee on Elections must be authorized by the committee to call it up under the call of committees, otherwise it would not be in order.

Mr. MANN. Then, Mr. Speaker, I ask that the committee be passed over on this call without prejudice.

Mr. RICHARDSON. To that we object.

The SPEAKER. Objection is made; and the Clerk will proceed with the call of the committees.

#### ORDER OF BUSINESS.

The Committee on Elections No. 3 was called.

Mr. WEEKS. Mr. Speaker, I desire to give notice that the case of Wise vs. Young, from the Second district of Virginia, will be called up for a hearing on Monday next.

The SPEAKER. The Chair will direct the attention of the gentleman from Michigan to the fact that by unanimous consent Monday next has been set apart for business from the Committee of the District of Columbia.

Mr. PAYNE. He can call it up immediately after the District business is disposed of.

Mr. WEEKS. Then, Mr. Speaker, I will say on Tuesday.

Mr. BURKE of Texas. Mr. Speaker, I would like to ask the gentleman from Michigan not to make that motion at this time. I feel now—I would state as one of the minority of the committee who prepared the report—I feel now, and state to my friend from Michigan and the House, that I shall be physically unable to present the case to the House on next Tuesday. If my friend will postpone it until I get better, I shall be perfectly willing to have it taken up at any time.

Mr. WEEKS. Mr. Speaker, I feel constrained to press the case for a hearing at the time mentioned. I would like to accommodate the gentleman from Texas by a further delay if I felt that I could do so properly; but I can not yield to his request consistently with the situation in which I find myself, and shall insist

upon the notice that on Tuesday next the case will be called up for a hearing.

Mr. BURKE of Texas. I will state to the gentleman that I expected to make an address to the House in connection with the case, but fear I shall not be able to do so at the time he mentions. If I am able, I will be perfectly willing to make it as cheerfully on Tuesday week as on Tuesday two weeks.

Mr. WEEKS. I must insist upon the notice, Mr. Speaker.

The SPEAKER. The Clerk will proceed with the call of the committees.

#### NAVIGATION LAWS, HAWAIIAN ISLANDS.

Mr. JONES of Washington (when the Committee on Merchant Marine and Fisheries was called). Mr. Speaker, I am directed by the Committee on Merchant Marine and Fisheries to report the bill (H. R. 5035) to extend the laws relating to commerce, navigation, etc., over the Hawaiian Islands ceded to the United States. I call up that bill for immediate consideration.

The bill was read at length.

Mr. McRAE. Mr. Speaker, I would ask if this bill is on the House Calendar?

Mr. RICHARDSON. I want to reserve the point of order, Mr. Speaker, that it is not properly on the House Calendar, if it is there.

The SPEAKER. The Chair understands that the bill called up by the gentleman is on the Union Calendar. That can not be taken up in the morning hour.

The Clerk will proceed with the call.

#### ORDER OF BUSINESS.

The Committee on the Post-Office and Post-Roads was called.

Mr. LOUD. Mr. Speaker, I desire at this time to make an arrangement, if such an arrangement can be made, to set apart time for the consideration of the bill (H. R. 6071) to amend the postal laws relating to second-class mail matter.

Mr. TERRY. Will the gentleman state the nature of the bill?

Mr. LOUD. It is stated in the title; to amend the postal laws relating to second-class mail matter.

The House probably understands that under this call we have a right to take up this bill now, and the committee, I believe unanimously, taking both sides politically, desired that a day might be set apart, some few days hence, in order that every member might have notice when it was coming up for consideration.

I would ask unanimous consent, therefore, that this bill be taken up immediately after the reading of the Journal on one week from next Tuesday. The day, I believe, is the 13th.

Mr. McRAE. It is a bill relating to second-class mail matter.

Mr. LOUD. Yes.

Mr. BARTLETT. Is it not true that the Nicaraguan Canal bill was set for consideration on the 13th?

Mr. LOUD. No; objection was made.

The SPEAKER. The Chair will state the request of the gentleman that the bill, the title of which he has stated, House bill 6071, may be set for consideration and called up immediately after the reading of the Journal on Tuesday, the 13th instant. Is there objection?

Mr. BELL. Mr. Speaker, I want to make a statement about this bill.

Mr. MAHON. I will reserve my right to object.

The SPEAKER. Does the gentleman object?

Mr. MAHON. I object, unless I can make a statement.

The SPEAKER. That is not an objection.

Mr. MAHON. Well, I object.

The SPEAKER. The gentleman from Colorado—

Mr. BELL. I want to make a statement.

Mr. LOUD. I hope there may be an opportunity to discuss this matter for a few minutes.

Mr. MAHON. I object, Mr. Speaker.

The SPEAKER. The gentleman will not be denied his opportunity to be heard.

Mr. MAHON. I want to be heard or object, one or the other.

Mr. BELL. I want to make a short statement; that is all.

The SPEAKER. The gentleman from Colorado. This is all by unanimous consent.

Mr. BELL. As I understand, growing out of the argument relative to this bill before, a commission was appointed to investigate certain things involved in the hearings. That commission, as I understand, has taken much evidence, and unquestionably the report of the hearings and the evidence would be beneficial on the final disposition of this bill. Now, it seems to me that as we have appointed a commission, growing out of the discussion on this identical bill, and inasmuch as that commission has had hearings for almost a year, having been in session off and on since the last session, this bill should not be brought up until that commission reports and we have an opportunity to see what they have found relative to this second-class mail matter.

Now, in the hearings before, the great point made by the Committee on Post-Offices and Post-Roads was the cost of transporting the second-class mail matter. Some of us took the position, in



which we were borne out by three different Postmasters-General, that some ten or twelve million dollars a year could be saved by the Government owning its own mail cars and requiring the transportation of its mails at the same price as other goods or the goods of private individuals are carried. This bill drifted off on that at two different hearings before the House. The gentleman from Michigan [Mr. SAMUEL W. SMITH] introduced a resolution which brought forth a commission to investigate the questions raised and discussed in this bill.

Now, I notice that the gentleman from Massachusetts [Mr. MOODY], who took an active part in this controversy, is present, and I have learned from him that valuable evidence is being taken, expert statements are being taken, and, as I understand from him, they expect to report before long. It seems to me that if we are going to try to pass this bill before the report of that commission, then we have had the commission to no purpose and the evidence becomes merely a matter of history, and does not in any way give us the light which it was intended to give. I hope this bill will not be pressed until that commission reports and its evidence is published.

The SPEAKER. Is there objection?

Mr. MAHON. I object.

The SPEAKER. Is there anything further from the Committee on the Post-Office and Post-Roads?

Mr. LOUD. I still have the right, Mr. Speaker, to call up this bill; but I hoped that the House would patiently listen for a few moments.

The SPEAKER. The gentleman has the right.

Mr. LOUD. I want the House to understand that it is in deference to those who may have objections to this bill, in order that they may be given an opportunity to prepare themselves for an argument against it, that the committee have asked that the bill be set down for consideration on a future day. The committee are asking no favor. It is not a question of someone getting even with the individual who makes this request, because the committee have the right to call up this bill, and, until it is disposed of, to block all other legislation under this call. Now, the minority of the committee were unanimous in favor of the mode of procedure that I have here advocated, and I can not understand why any person on the floor of the House can object to setting a day in the future for the consideration of this bill, when we have a right to consider it now, and I hope the gentleman from Pennsylvania [Mr. MAHON]—although he has not been listening to what I have been stating—will consider the situation that confronts the House, and let us get at this matter by unanimous consent and set some day in the future. I suggested the day which I did suggest because I thought it was far enough in advance to satisfy everybody.

Mr. MOODY of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOODY of Massachusetts. If the gentleman from California should call up the bill now under this rule would it then be in order for the House on motion to postpone its further consideration until a day certain?

The SPEAKER. The Chair is of the opinion that can not be done. The way to get back to the consideration of this bill is when the committees are again called, and this bill, if it is in committee, will be the continuing business in the Committee of the Whole under the morning hour call, just as the civil-service bill is now in Committee of the Whole for that purpose.

Mr. DALZELL. If the gentleman from Pennsylvania can make his statement, I have no doubt an arrangement can be made that will be satisfactory.

Mr. MAHON. I have no objection to that bill being considered next week, if the gentleman will except Friday, private claim day, from the days on which it shall be considered.

Mr. LOUD. I will say, Mr. Speaker, that I introduced a rule from the committee setting aside three days. That will be the extreme limit of time, I understand, the minority will ask, and I set it at Tuesday, so that it would conclude on Thursday. I referred the matter to my colleague [Mr. GRIGGS] to ascertain if that will not cover the time they would ask; and we will probably not use all of the two days.

Mr. HEPBURN. I hope the gentleman will consent to postpone this matter to a week later.

Mr. MOODY of Massachusetts. Will the gentleman from California allow me to make a suggestion in the line of that of the gentleman from Iowa?

The SPEAKER. Does the gentleman from California yield; and if so, to whom?

Mr. LOUD. I will yield to almost anybody.

Mr. MOODY of Massachusetts. I beg pardon of the gentleman from Iowa.

Mr. LOUD. I could not hear what either gentleman said.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask a question for information.

Mr. LOUD. I yield to the gentleman from Iowa, if he asked a question, as I presume he did.

Mr. CLARK of Missouri. I want to ask a question for information.

The SPEAKER. Does the gentleman yield?

Mr. LOUD. I stated that I would yield to the gentleman from Iowa, if he asked a question.

Mr. HEPBURN. I simply want to ask the gentleman from California if he will not consent to postpone the time for the consideration of this bill one week later. I have introduced a resolution authorizing the adoption of a rule by the Committee on Rules, and hope it will be reported, looking to the appropriation of that day for another matter.

Mr. BAILEY of Texas. May I ask the gentleman to state what that is?

Mr. HEPBURN. I asked for a day to consider the Nicaragua Canal bill.

Mr. BAILEY of Texas. The gentleman has introduced a rule, and that has been referred to the Committee on Rules?

Mr. HEPBURN. Yes, sir.

Mr. BAILEY of Texas. I hope it will be reported.

The SPEAKER. The gentleman from Iowa is recognized by the gentleman from California.

Mr. LOUD. I would like to ask the gentleman from Iowa what he thinks his prospects are to get a rule from that committee?

Mr. HEPBURN. I think from conversations I have had with gentlemen who have influence in that matter that a rule will be reported. [Laughter.]

Mr. LOUD. I would have no objection, Mr. Speaker, to making this a week later than that. That would be the 20th.

The SPEAKER. The gentleman from California now asks unanimous consent that House bill 6071 be set down for consideration after the approval of the Journal on March 20. Is there objection?

Mr. MAHON. I object.

The SPEAKER. Objection is made.

Mr. LOUD. Now, Mr. Speaker, I call up the bill H. R. 6071, unprepared as we are to discuss this question.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 6071) to amend the postal laws relating to second-class mail matter.

The Clerk proceeded to read the bill.

Mr. MOODY of Massachusetts. Mr. Speaker, I want to see if we can not clear up the misunderstanding which evidently exists.

The SPEAKER. As a preliminary step the House again is requested to come to order.

Mr. MOODY of Massachusetts. Mr. Speaker, my interest in this matter simply comes from the fact that I have done a good deal of work upon this and other questions upon post-office matters. I understand the gentleman from Pennsylvania objected, and properly and naturally enough, because he believed the proposition submitted by the gentleman from California might involve the loss of Friday for the consideration of claims that have been reported to the House. Now, I would ask the gentleman from California if he would not make his request in a form to begin on Tuesday, the 20th of March, the consideration of this bill, and that it should be so held that it should be finally disposed of on the following Thursday afternoon, so that Friday will be at the disposal of the gentleman from Pennsylvania.

Mr. LOUD. Mr. Speaker, I will state again—

Mr. MOODY of Massachusetts. So that it will not include any part of Friday.

Mr. LOUD. I thought I made the statement as clear and as distinct as it can be made; and that was that unanimous consent should be given that this measure come up on Tuesday and that no one would ask for its consideration extending beyond Thursday.

Mr. MAHON. Fix the time, and I am satisfied.

Mr. LOUD. I am perfectly willing, Mr. Speaker, to ask that a vote shall be taken not later than Thursday.

Mr. MAHON. That is all right.

The SPEAKER. The gentleman from California asks unanimous consent that the bill H. R. 6071 be set down for consideration on March 20, after the approval of the Journal, and to be disposed of not later than the Thursday following the taking up of the bill.

Mr. CLARK of Missouri. Mr. Speaker, I want to ask a question, and I do not know whether to ask it of the Chair or the gentleman from California [Mr. LOUD].

Mr. LOUD. The gentleman had better ask it through the Speaker.

Mr. CLARK of Missouri. Who is going to control the time against this bill if all the members of the committee are in favor of the bill?

Mr. LOUD. Oh, I think we can arrange that.

Mr. CLARK of Missouri. When it was up before I helped to kill it. I am not sure now whether I am in favor of it or against it as it has been modified, but I think the fighting that is going to be done against it ought to be put into the hands of a man who wants it beaten.

Mr. LOUD. I think that can be arranged.

The SPEAKER. The Chair will state to the gentleman from Missouri that if there is no one on the committee to resist the bill, the first member claiming recognition to oppose the bill will be recognized for that purpose. It does not necessarily follow that he will control the time, because after he has had his hour and the other side an hour, some other gentlemen in opposition would be recognized. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none, and it is so ordered. The Chair will ask the gentleman from California [Mr. LOUD] if there is anything further from the Committee on Post-Office and Post-Roads?

Mr. LOUD. Nothing further.

#### SIoux CITY AND PACIFIC RAILROAD COMPANY.

The Clerk proceeded with the call of committees, when the Committee on Pacific Railroads was called:

Mr. POWERS. Mr. Speaker, I ask leave to call up House bill 2864, to create a commission to make settlement and adjustment with the Sioux City and Pacific Railroad Company of its indebtedness to the Government of the United States.

The SPEAKER. The Chair understands that this bill is on the Union Calendar.

Mr. POWERS. The bill is on the Union Calendar, Mr. Speaker.

The SPEAKER. The Chair is of the opinion that it is erroneously referred to that Calendar. Does it impose a burden of any character, directly or indirectly? It seems to be simply a bill to appoint a commission.

Mr. POWERS. That is all. But to obviate any trouble, Mr. Speaker, I ask unanimous consent to take it up at this time.

Mr. RICHARDSON. I should like to have the bill reported, Mr. Speaker.

The Clerk read the bill as follows:

*Be it enacted, etc., That the Secretary of the Treasury, the Secretary of the Interior, and the Attorney-General of the United States are hereby authorized and empowered to make settlement and adjustment with the Sioux City and Pacific Railroad Company of its indebtedness to the Government of the United States, and when such settlement is approved by the President it shall become operative, and the Attorney-General shall make the necessary acquittances to said railroad company.*

With the following amendment recommended by the committee:

*In the eighth line, after the word "States," insert the words: "Provided, That they deem the same for the best interests of the Government."*

Mr. McRAE. Mr. Speaker, I want to ask what prevents the railroad company from paying the Government what it owes?

Mr. POWERS. The railroad company is in the condition of a great many people in this world—it is insolvent, or practically so. It has been operated for some years by the Northwestern Railroad under a contract with that road, and which road owns a considerable majority of the common stock of the Sioux City and Pacific Railroad. The committee, in view of the fact that the Sioux City and Pacific Railroad on its own account had not the means to make payment of this indebtedness, at present at least, thought it the better course to submit the matter to the Secretary of the Treasury, the Attorney-General, and the Secretary of the Interior to make a settlement with the company upon such terms as this commission might deem fair to the Government; and they are actuated to present the matter in this form by reason of the fact that a similar commission made a very favorable settlement for the Government with the Union Pacific road.

Mr. McRAE. Has this road a land grant?

Mr. POWERS. It has; but with the land grant the House is not at present concerned. The grant of land was a gift to the railroad company, and therefore it has gone beyond the reach of Congress.

Mr. McRAE. The company does not own the land now?

Mr. POWERS. The company owns some portion of it, and some portions of it have been sold. I am unable to state what proportion has been sold, but a large amount. I am informed by the gentleman from Iowa on my left that they own but little now.

Mr. McRAE. Have any legal proceedings been commenced against the company?

Mr. POWERS. I can not advise the gentleman, for on that point I am not informed. I will yield, however, to the gentleman from Iowa [Mr. THOMAS] who introduced the bill.

Mr. THOMAS of Iowa. At one time, Mr. Speaker, there was a suit against the company for the purpose of recovering the interest. That suit was brought and taken, I believe, to the Supreme Court of the United States on appeal, and it was held that the suit was prematurely brought by reason of the fact that there was no provision in the mortgage under which action could be maintained to recover the interest until the maturity of the principal

of the mortgage. I will say further, adding to the remarks of the gentleman from Vermont [Mr. POWERS], that this is a line of road of about 101 miles in length, running from Sioux City, in a southeasterly course on the east side of the Missouri River, to a small town called California Junction; thence at an acute angle west across the Missouri River to Fremont, Nebr. It is a line that can not be operated as an independent line, but merely forms a link in other railroads that are now owned by the Chicago and Northwestern Company.

Mr. McRAE. In view of the unanimous report of the committee and the statements of the gentleman from Vermont [Mr. POWERS] and the gentleman from Iowa [Mr. THOMAS], I do not object to the present consideration of the bill.

Mr. RIDGELY. I object to the consideration of this bill at this time.

The SPEAKER. The Chair understands that objection is made.

Mr. POWERS. If there has been a wrong reference of the bill—

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RIDGELY. I object.

The SPEAKER. The gentleman from Kansas objects.

Mr. POWERS. Mr. Speaker, I ask that the reference of the bill to the Union Calendar be changed.

The SPEAKER. The Chair is of opinion, after examining the authorities, that the bill ought to be on the House Calendar, and will make the change of reference. He must state, however, that the bill can not be again called up on the same day without unanimous consent, as it is due to the House that the bill, when called up, should be on the printed Calendar, so that members shall be duly notified, shall have timely warning, that a bill is liable to be brought up on this call.

Mr. DALZELL. Is not this bill properly on the Union Calendar?

The SPEAKER. The Chair thinks not.

Mr. DALZELL. It involves a charge on the Government.

The SPEAKER. It does not imply one way or the other that there is or is not to be a charge on the Government. Non constat the Government may receive double what is contemplated in the bill.

Mr. DALZELL. And may receive one-half. It authorizes the commission to make a settlement.

The SPEAKER. The position which the gentleman is contending for involves an old question—the question as to what should be the ruling where the expenditure or burden on the Government is contingent. The Chair finds there are two cases where the decision has been squarely in accord with what the Chair now holds.

Mr. PAYNE. The bill makes provision for a commission, and that necessarily involves expense.

The SPEAKER. The commission is to consist of officers of the Government who are receiving a regular salary; not a dollar is appropriated in the bill for them. The Chair must change the reference, but must deny the privilege of calling the bill up at this time.

#### AMERICAN REGISTER FOR STEAMER WINDWARD.

Mr. GROSVENOR. When the call of committees had reached the Committee on Merchant Marine and Fisheries, the gentleman from Washington called up a bill which it appeared was not on the House Calendar, and the Chair ruled that the bill was not in order, properly. At the same time the gentleman from Louisiana [Mr. RANDELL] had in his charge a small bill which is on the House Calendar; but thinking that the ruling of the Chair excluded him, he failed to call up that bill. I now ask unanimous consent that we go back to the Committee on Merchant Marine and Fisheries.

The SPEAKER. The gentleman from Ohio asks unanimous consent to recur to the Committee on Merchant Marine and Fisheries.

There was no objection.

The SPEAKER. The gentleman from Ohio is recognized to call up a bill.

Mr. GROSVENOR. I ask the Chair to recognize the gentleman from Louisiana [Mr. RANDELL].

The SPEAKER. The gentleman from Louisiana is recognized. Mr. RANDELL. I call up on behalf of the Committee on Merchant Marine and Fisheries the bill (H. R. 6767) to grant an American register to the steamer *Windward*.

The bill was read, as follows:

*Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to cause the foreign-built steamer Windward, owned by Civil Engineer Robert E. Peary, United States Navy, to be registered as a vessel of the United States, provided that she shall not engage in the coast-wise trade of this Republic.*

The SPEAKER. The question is on ordering the bill to be engrossed and read a third time.



Mr. CUMMINGS. I should like to hear the report or some explanation of the bill.

Mr. RANDELL. Mr. Speaker, this is a bill to grant an American register to the steamer *Windward*. This steamer was donated to the arctic explorer, Mr. Robert E. Peary, by Alfred C. Harmsworth, of London, England. It was given to Mr. Peary for purely scientific purposes, and was used by him in making his exploration to the arctic region. After returning it was found to be in very bad condition, needing repairs that will cost about \$40,000. It is now lying at Brigus, Newfoundland, where the Arctic Exploration Club propose to expend that much money, \$40,000, in putting the vessel in first-class order, practically making it a new vessel.

The sole and only purpose of this bill is that these gentlemen who are expending their money to advance science may have the satisfaction of sailing to the arctic seas under "the Stars and Stripes." The vessel can never be used to come in conflict with our own ships; it is provided that it can never be used in the coastwise trade. The object of the bill, I repeat, is simply to give the patriotic owners of this vessel the gratification of sailing under "the Stars and Stripes." The bill has been unanimously reported by the Committee on Merchant Marine and Fisheries after careful discussion and investigation; and as it can not conflict in any way with our own ships, I believe it should pass.

Mr. CUMMINGS. Mr. Speaker, the gentleman's explanation is entirely satisfactory.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. RANDELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

The Clerk resumed and concluded the call of committees.

The SPEAKER. This completes the call.

#### REPRINT OF A BILL.

Mr. LOUD. Mr. Speaker, I am informed by the document room clerk that the bill (H. R. 6071) relating to second-class mail matter, and the report, are both exhausted; and I ask that a reprint of the same may be ordered.

The SPEAKER. This is the bill that was set down for the special order for March 20?

Mr. LOUD. Yes.

The SPEAKER. Is there objection to the request of the gentleman from California, to order a reprint of bill and report?

There was no objection.

#### ORDER OF BUSINESS.

Mr. MANN. Mr. Speaker, I wish again to call up as a privileged matter the resolutions reported by the Committee on Elections No. 1—House resolution 145—in the contested-election case of Aldrich vs. Robbins.

The SPEAKER. The resolutions have already been read, and unless demand for their reading be made, they may be considered as having been read.

There was no objection.

Mr. MANN. I will state that the gentleman from Georgia [Mr. BARTLETT], representing the minority, is, I am informed, temporarily away from the Hall at lunch. I trust that some gentleman on the other side, sharing his views, will protect his interest.

Mr. MCRAE. If the gentleman will withhold the motion, we will send for him.

Mr. MANN. I just suggested that some gentleman should raise the point of consideration, which undoubtedly he would raise, if present.

The SPEAKER. What is the gentleman's suggestion?

Mr. MANN. I would suggest, in the absence of the gentleman from Georgia, that the question of consideration be considered as having been raised by him.

Mr. RICHARDSON. Of course, if the gentleman insists, we raise the question of consideration.

The SPEAKER. The question of consideration is raised on the resolutions which have been already reported. The question is: Will the House now proceed to consider the resolutions?

The question was taken, and the Speaker announced that the "noes" seemed to have it.

Mr. MANN demanded a division.

The House divided, and there were—ayes 74, noes 90.

Mr. MANN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RICHARDSON. Pending that, I move that the House do now adjourn.

Mr. MANN. Mr. Speaker, I make the point of order that that is a dilatory motion.

The SPEAKER. The Chair sustains the point of order.

Mr. RICHARDSON. Very well.

The SPEAKER. The yeas and nays are ordered on the question of consideration, and the Clerk will call the roll.

The question was taken; and there were—yeas 128, nays 132, answered "present" 5, not voting 87; as follows:

#### YEAS—128.

Acheson,	Davenport, S. A.	Jack,	Pearre,
Adams,	Dick,	Jenkins,	Phillips,
Allen, Me.	Dovener,	Jones, Wash.	Powers,
Babcock,	Eddy,	Joy,	Pugh,
Baker,	Emerson,	Kahn,	Ray,
Barham,	Esch,	Ketcham,	Reeder,
Bartholdt,	Fletcher,	Knox,	Roberts,
Bingham,	Fordney,	Lacey,	Russell,
Bishop,	Foss,	Landis,	Shattue,
Boutell, Ill.	Fowler,	Linney,	Smith, Ill.
Bowersock,	Gamble,	Littlefield,	Smith, Samuel W.
Brick,	Gardner, Mich.	Long,	Southard,
Bromwell,	Gardner, N. J.	Lorimer,	Spalding,
Brosius,	Gill,	Lovering,	Sperry,
Brown,	Gillet, N. Y.	Lybrand,	Steele,
Burkett,	Gillett, Mass.	McPherson,	Stevens, Minn.
Burleigh,	Graff,	Mahon,	Stewart, N. J.
Burton,	Graham,	Mann,	Stewart, N. Y.
Butler,	Greene, Mass.	Marsh,	Stewart, Wis.
Calderhead,	Grosvenor,	Mesick,	Tawney,
Capron,	Grow,	Miller,	Taylor, Ohio
Clarke, N. H.	Hamilton,	Minor,	Thomas, Iowa
Cochrane, N. Y.	Haugen,	Mondell,	Thropp,
Corliss,	Hedge,	Moody, Mass.	Tongue,
Cousins,	Hemenway,	Moody, Oreg.	Van Voorhis,
Cramer,	Henry, Conn.	Morris,	Vreeland,
Crump,	Hepburn,	Needham,	Waters,
Crumpacker,	Hill,	O'Grady,	Watson,
Curtis,	Hitt,	Otjen,	Weaver,
Cushman,	Hoffecker,	Overstreet,	Weeks,
Dahle, Wis.	Hopkins,	Parker, N. J.	White,
	Howell,	Payne,	Young, Pa.

#### NAYS—132.

Adamson,	Davey,	Levy,	Robinson, Nebr.
Allen, Ky.	Davis,	Lewis,	Rucker,
Allen, Miss.	De Armond,	Little,	Ruppert,
Atwater,	De Graffenreid,	Livingston,	Ryan, N. Y.
Bailey, Tex.	De Vries,	Lloyd,	Ryan, Pa.
Ball,	Dinsmore,	McAleer,	Scudder,
Bankhead,	Dougherty,	McClellan,	Shackleford,
Barber,	Elliott,	McCulloch,	Shafroth,
Bartlett,	Finley,	McDowell,	Sheppard,
Bell,	Fitzgerald, Mass.	McLain,	Sibley,
Bellamy,	Fitzgerald, N. Y.	McRae,	Sims,
Berry,	Foster,	Maddox,	Slayden,
Bradley,	Gaines,	Meekison,	Snodgrass,
Brantley,	Gaston,	Meyer, La.	Spight,
Breazeale,	Gayle,	Miers, Ind.	Stark,
Brenner,	Gilbert,	Moon,	Stephens, Tex.
Brewer,	Glynn,	Muller,	Stokes,
Brundidge,	Gordon,	Naphen,	Sulzer,
Burke, Tex.	Griffith,	Neenan,	Talbert,
Burleson,	Griggs,	Norton, Ohio	Taylor, Ala.
Burnett,	Henry, Miss.	Norton, S. C.	Terry,
Caldwell,	Howard,	Otey,	Thayer,
Carmack,	Jett,	Pierce, Tenn.	Thomas, N. C.
Catchings,	Johnston,	Quarles,	Turner,
Chanler,	Jones, Va.	Ransdell,	Underwood,
Cochran, Mo.	Kitchin,	Rhea, Ky.	Vandiver,
Cooney,	Kleberg,	Rhea, Va.	Williams, J. R.
Cooper, Tex.	Klutz,	Richardson,	Williams, Miss.
Cowherd,	Lamb,	Ridgely,	Wilson, Idaho
Crawford,	Lanham,	Riordan,	Wilson, N. Y.
Cummings,	Latimer,	Rixey,	Young, Va.
Cusack,	Lentz,	Robb,	Zenor,
Daly, N. J.	Lester,		Ziegler.

#### ANSWERED "PRESENT"—5.

Clark, Mo.	Davenport, S. W.	Metcalf,	Olmsted.
Dalzell,			

#### NOT VOTING—87.

Alexander,	Driscoll,	Loudenslager,	Smith, Ky.
Bailey, Kans.	Epes,	McCall,	Smith, H. C.
Barney,	Faris,	McCleary,	Smith, Wm. Alden
Benton,	Fitzpatrick,	May,	Sparkman,
Boreing,	Fleming,	Mercer,	Sprague,
Boutelle, Me.	Fox,	Morgan,	Stallings,
Broussard,	Freer,	Mudd,	Sulloway,
Brownlow,	Gibson,	Newlands,	Sutherland,
Bull,	Green, Pa.	Packer, Pa.	Swanson,
Burke, S. Dak.	Grout,	Pearce, Mo.	Tate,
Campbell,	Hall,	Polk,	Tompkins,
Cannon,	Harmer,	Prince,	Underhill,
Clayton, Ala.	Hawley,	Reeves,	Wachter,
Clayton, N. Y.	Hay,	Robbins,	Wadsworth,
Connell,	Heatwole,	Robertson, La.	Wanger,
Cox,	Henry, Tex.	Robinson, Ind.	Warner,
Crowley,	Hull,	Rodenberg,	Weymouth,
Davidson,	Kerr,	Salmon,	Wheeler, Ky.
Dayton,	Lane,	Shelden,	Williams, W. E.
Denny,	Lawrence,	Sherman,	Wilson, S. C.
Dolliver,	Littauer,	Showalter,	Wright.
Driggs,	Loud,	Small,	

So the House refused to consider the case.

Mr. OLMSTED. I desire to inquire if the gentleman from Illinois, Mr. WILLIAM E. WILLIAMS, is recorded as voting?

The SPEAKER. He is not recorded as voting.

Mr. OLMSTED. Then, having a general pair with him, I desire to change my vote from "aye" to "present."

The SPEAKER. The change will be made accordingly.

The Clerk announced the following additional pairs:

During this session:

Mr. WM. ALDEN SMITH with Mr. WILSON of South Carolina.

Until March 14:

Mr. OLMSTED with Mr. WILLIAM E. WILLIAMS.

For this day:

Mr. PEARCE of Missouri with Mr. CLAYTON of Alabama.

Mr. HARMER with Mr. HENRY of Texas.

On this vote:

Mr. CANNON with Mr. MAY.

Mr. WANGER with Mr. GREEN of Pennsylvania.

Mr. MERCER with Mr. ROBINSON of Indiana.

Mr. METCALF with Mr. WHEELER of Kentucky.

Mr. CLARK of Missouri. —Mr. Speaker, I should like to inquire if the gentleman from Iowa, Mr. DOLLIVER, voted?

The SPEAKER. He did not.

Mr. CLARK of Missouri. I will withdraw my vote, then, because he and I are paired.

The SPEAKER. The gentleman's vote will be withdrawn, in the absence of objection.

The result of the vote was announced as above recorded.

#### ORDER OF BUSINESS.

Mr. GROW. Mr. Speaker, I rise to a privileged motion.

Mr. UNDERWOOD. I move that the House do now adjourn.

The SPEAKER. The gentleman from Pennsylvania [Mr. GROW] states that he rises to a privileged motion.

Mr. GROW. And previous to making the motion I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROW. Have sixty minutes expired since the commencement of the morning hour?

The SPEAKER. The morning hour did not consume sixty minutes.

Mr. GROW. I understand that the morning hour commenced by the call of committees at five minutes past 1.

The SPEAKER. The record was kept at the desk, and the time was short of an hour. There were several members wishing to take advantage of it, if sixty minutes had elapsed, but an hour was not consumed.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. YOUNG of Pennsylvania, for three days, on account of important business.

And then, on motion of Mr. PAYNE (at 2 o'clock and 23 minutes p. m.), the House adjourned.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the chairman of the Industrial Commission, transmitting preliminary reports of the commission and a compilation of laws relating to industrial combinations—to the Committee on Labor, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Acting Solicitor of the Treasury submitting an estimate of appropriation for reimbursing the postal revenues—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Superintendent of the Coast and Geodetic Survey, submitting an estimate of appropriation for compensation of owner of the steamer *J. R. Carroll*—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Catherine A. Talburt, administratrix of estate of George W. Talburt, against the United States—to the Committee on War Claims, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SHERMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 6634) to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes, reported the same with amendment, accompanied by a report (No. 474); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLE, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 8566) authorizing certain suits in the Court of Claims, and for other purposes, reported the

same with amendment, accompanied by a report (No. 475); which said bill and report were referred to the House Calendar.

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 8069) to amend an act approved July 22, 1892, entitled "An act to provide for the opening of alleys in the District of Columbia," reported the same with amendment, accompanied by a report (No. 476); which said bill and report were referred to the House Calendar.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8663) to provide a chaplain for each regiment in the United States service, and for other purposes, reported the same without amendment, accompanied by a report (No. 477); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. LANDIS, from the Committee on Foreign Affairs, to which was referred the bill of the Senate (S. 1740) to authorize C. E. Marr and E. H. Pierce to accept silver watches awarded to them by the government of the Dominion of Canada in recognition of their services in rescuing British sailors, reported the same without amendment, accompanied by a report (No. 473); which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MIERS of Indiana (by request): A bill (H. R. 9053) to provide for the removal of overhead telegraph and telephone wires in the city of Washington, for the construction of conduits in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. CUMMINGS: A bill (H. R. 9054) making an appropriation for the reconstruction of building No. 7 in the navy-yard, New York, destroyed by fire February 11, 1900, and for other purposes—to the Committee on Naval Affairs.

By Mr. GRIFFITH: A bill (H. R. 9055) to remedy certain evils in Navy administration—to the Committee on Naval Affairs.

By Mr. LEVY: A bill (H. R. 9056) to protect the city of Washington against freshets, and for other purposes—to the Committee on the District of Columbia.

By Mr. NEVILLE: A bill (H. R. 9057) to allow fourth-class postmasters a salary of \$100 per annum and \$10 per month for rent, light, and fuel in addition to the fees and compensation which they are now allowed by law—to the Committee on the Post-Office and Post-Roads.

By Mr. ELLIOTT: A bill (H. R. 9058) to provide for the reimbursement to the governors of the several States for payment of certain pay and expenses of the Naval Militia—to the Committee on Naval Affairs.

By Mr. JOY: A joint resolution (H. J. Res. 190) authorizing Secretary of War to present a medal of honor to Capt. George M. Jackson—to the Committee on Military Affairs.

By Mr. ALEXANDER: A joint resolution (H. J. Res. 192) authorizing the President of the United States to invite the Government of Great Britain to join in the formation of an international commission to examine and report upon the diversion of the waters that are the boundaries of the two countries—to the Committee on Foreign Affairs.

By Mr. SULZER: A joint resolution (H. J. Res. 193) expressing sympathy with the Boers—to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 9059) to correct the military record of Erwin Hays—to the Committee on Military Affairs.

Also, a bill (H. R. 9060) granting a pension to Mary A. Hicks—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 9061) granting a pension to Mary F. Breedlove—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 9062) for the relief of the estate of James M. Barker, deceased, late of Crockett Bluff, Arkansas County, Ark.—to the Committee on War Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 9063) for the relief of Frank Lincoln—to the Committee on Claims.

Also, a bill (H. R. 9064) to correct the military record of Horace B. Kenniston—to the Committee on Military Affairs.



By Mr. CATCHINGS: A bill (H. R. 9065) for the relief of the estate of Jane N. Gibson, deceased, late of Warren County, Miss.—to the Committee on War Claims.

By Mr. CALDWELL: A bill (H. R. 9066) granting an increase of pension to Joseph N. Loving—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9067) granting a pension to David W. Small—to the Committee on Invalid Pensions.

By Mr. COWHERD: A bill (H. R. 9068) for the relief of the heirs of Alexander Bradshaw—to the Committee on War Claims.

By Mr. GASTON: A bill (H. R. 9069) appropriating \$300 to John Schlup—to the Committee on War Claims.

By Mr. HOFFECKER: A bill (H. R. 9070) granting an increase of pension to Daniel H. Kent—to the Committee on Invalid Pensions.

By Mr. JACK: A bill (H. R. 9071) granting a pension to Mrs. Mary J. Gillam—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 9072) granting a pension to William F. Browning—to the Committee on Invalid Pensions.

By Mr. NORTON of Ohio: A bill (H. R. 9073) to increase the pension of William B. Smith, late private, Company F, Thirteenth Indiana Infantry—to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 9074) to remove the charge of desertion standing against the name of George A. Creller, late of Company D, Seventh New York Heavy Artillery—to the Committee on Military Affairs.

By Mr. SIBLEY: A bill (H. R. 9075) to pension Charles Dalrymple—to the Committee on Invalid Pensions.

By Mr. SHATTUC: A bill (H. R. 9076) for the relief of William H. Harrison, late pilot under Rear-Admiral D. G. Farragut, commanding the West Gulf Blockading Squadron during the civil war—to the Committee on War Claims.

By Mr. TURNER: A bill (H. R. 9077) for the relief of W. J. Tapp & Co.—to the Committee on Claims.

Also, a bill (H. R. 9078) for the relief of Thierman & Frost—to the Committee on Claims.

By Mr. ZIEGLER: A bill (H. R. 9079) to remove the charge of desertion from the military record of William A. Knudson—to the Committee on Military Affairs.

By Mr. ROBERTS: A joint resolution (H. J. Res. 191) for the relief of Mrs. Baker and family—to the Committee on the Post-Office and Post-Roads.

By Mr. VAN VOORHIS: A resolution (H. Res. 165) relative to the payment to Don C. Walters a difference due in salary—to the Committee on Accounts.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Statement to accompany House bill to correct the military record of Erwin Hays—to the Committee on Military Affairs.

Also, resolutions of the Importers and Grocers' Exchange of Philadelphia, with reference to the bill for the encouragement of the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. ALEXANDER: Petition of Daughters of the Revolution of Buffalo, N. Y., favoring the passage of House bill No. 6879, relating to the employment of graduate women nurses in the hospital service of the United States Army—to the Committee on Military Affairs.

By Mr. BARTLETT: Resolutions of Central City Lodge, No. 8, of Macon, Ga., International Association of Machinists, for provision to grant certain employees of the Government the usual leave of absence with pay—to the Committee on Naval Affairs.

By Mr. BELL: Petitions of Col. H. E. Macarey and Capt. Fred J. White, of Denver, Colo., favoring the Stark bill to improve the armament of the militia—to the Committee on the Militia.

Also, petition of A. E. Baker, D. D. S., of Idaho Springs, Colo., in favor of the passage of House bill No. 7017, amending the law relating to certain patents—to the Committee on Patents.

Also, petition of the Woman's Christian Temperance Union of Canon City, Colo., for prohibition in Hawaiian Islands—to the Committee on the Territories.

Also, petition of Dr. E. J. Reinhardt, of Denver, Colo., relating to the stamp tax on medicines, etc.—to the Committee on Ways and Means.

Also, petitions of Patrick & Airgood, of Roswell; J. Cogan, of Nathrop, and Bomgardner & O'Neill, of La Junta, Colo., favoring the passage of the Grout anti-oleomargarine bill—to the Committee on Agriculture.

Also, petitions of Felix Cain, of Springfield; J. H. Kincaid and J. B. Petrie, of La Veta; E. A. Peterson and others, of Wallet; Dana & Shaw, George Neally, and A. Walters, of Burlington; W. H. Dawson, of Lamar; W. H. Ross, of Craig; T. T. Widman,

of Monte Vista, and J. N. Lamb, of Bethune, Colo., and Fred Harrison, of Farmington, N. Mex., asking that the Government continue the manufacture and distribution of blackleg vaccine—to the Committee on Agriculture.

By Mr. BURTON: Petition of militia organizations of Cleveland, Ohio, in favor of House bill No. 7936, making an increase in the appropriation for arming and equipping the militia of the States and Territories—to the Committee on Military Affairs.

By Mr. CALDWELL: Petition of A. M. Boyd & Co. and other citizens of Petersburg, Ill., favoring the passage of Senate bill No. 1439, to amend the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. COCHRANE of New York: Petitions of C. M. Bray, of Kinderhook, N. Y., and Solomon Sharp and others, of Stuyvesant Falls, N. Y., for a law subjecting food and dairy products to the laws of the State or Territory into which they are imported—to the Committee on Interstate and Foreign Commerce.

By Mr. CONNELL: Petitions of C. Ruland, J. F. Sayer, J. W. Clouse, and others, of Moscow, Pa., favoring the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

By Mr. COOPER of Wisconsin: Petition of M. G. Jeffers and others, of Janesville, Wis., asking for relief for Horace B. Kenniston, that he may be received at the Soldiers' Home—to the Committee on Military Affairs.

By Mr. COWHERD: Paper to accompany House bill for the relief of Alexander Bradshaw—to the Committee on War Claims.

By Mr. FITZGERALD of Massachusetts: Petition of the Minnesota National Park and Forest Reserve Association and others, urging the establishment of a national park in northern Minnesota—to the Committee on the Public Lands.

Also, petition of the Walker Rentals Drug Company, for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

Also, petition of John F. Dwyer, W. L. Terhune, and the New England College of Languages, of Boston, Mass., in opposition to the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. GREENE of Massachusetts: Petition of Post No. 46, Grand Army of the Republic, Department of Massachusetts, in support of the House bill No. 4742, to provide for the detail of active and retired officers of the Army and Navy to assist in military education in public schools—to the Committee on Military Affairs.

By Mr. MERCER: Resolution of the Omaha (Nebr.) Woman's Club, indorsing House bill No. 6879, for the employment of women nurses in military hospitals of the Army—to the Committee on Military Affairs.

Also, resolution of the Omaha (Nebr.) Central Labor Union, against the alienation of public lands by the United States to any but actual settlers, and also in favor of Government building of reservoirs—to the Committee on the Public Lands.

By Mr. METCALF: Resolution of San Francisco Lodge, No. 68, International Association of Machinists, for the construction of gunboats and cruisers in the several navy-yards of the Government—to the Committee on Naval Affairs.

By Mr. MIERS of Indiana: Papers to accompany House bill granting a pension to William F. Browning—to the Committee on Invalid Pensions.

By Mr. NAPHEN: Petitions of the American Whist Player Company and of A. W. Hunt, of Boston, Mass., in opposition to the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. RANSDELL: Papers relating to the claim of Aaron Register, of the State of Louisiana—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: Petition of J. A. Stutz and other physicians of the State of Indiana, favoring the passage of a bill for the purchase or location of a site for a monument to Dr. Daniel Hahnemann—to the Committee on the Library.

By Mr. SHAFROTH: Petition of Hon. Charles S. Thomas, of Colorado, and others, with reference to arid and public lands—to the Committee on the Public Lands.

By Mr. SHATTUC: Papers to accompany House bill for the relief of William H. Harrison, late pilot under Rear-Admiral D. G. Farragut in the civil war—to the Committee on War Claims.

By Mr. STEELE: Petition of Z. R. Saunders, for increase of pensions—to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: Petition of South Platte Congregational Church, Hall County, Nebr., for the passage of a bill enacting a Sunday law; also a bill to limit absolute divorce—to the Committee on the District of Columbia.

By Mr. VAN VOORHIS: Petition of C. E. Miller and other citizens of Muskingum County, Ohio, for an appropriation for the improvement of the North Muskingum River—to the Committee on Rivers and Harbors.

By Mr. YOUNG of Pennsylvania: Paper relating to section 61 of the revenue act of 1894, as to the tax on the use of alcohol in the arts or in any medicinal or other like compound—to the Committee on Ways and Means.

By Mr. ZIEGLER: Affidavit to accompany House bill to remove the charge of desertion now standing against William A. Knudson—to the Committee on Military Affairs.

## SENATE.

FRIDAY, March 2, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

### BRUNSWICK (GA.) HARBOR IMPROVEMENT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, stating, in response to a resolution of the 20th ultimo, relative to the report made by H. L. Marinden, the officer of the Coast and Geodetic Survey detailed by him to make survey of the outer bar of Brunswick, Ga., filed in the War Department December 4, 1899, together with the report supplemental thereto, that the reports called for were transmitted to the Auditor for the War Department on December 22, 1899; which was referred to the Committee on Commerce.

### PROTEST AGAINST RECIPROCITY TREATIES.

Mr. PERKINS. Mr. President, I present a protest from the entire delegation in Congress from California against the adoption or ratification by the Senate of the so-called Jamaica reciprocity treaty and the French treaty. I also present a memorial, with about 15,000 names, from 35 different horticultural, viticultural, agricultural, and citrus organizations or associations in California, protesting against the ratification of the so-called Jamaica treaty. I will ask that the names of the 35 associations be noted in the RECORD and that the accompanying memorial be referred to the Committee on Foreign Relations.

Mr. HOAR. I should like to inquire of the Chair whether the protest of a delegation in Congress can be received by the Senate as a petition. It is certainly a very unusual method of proceeding. Protests against legislation, even made by Senators alone, are only received on leave. We never have established in our legislative practice the habit of allowing protests to be entered upon the files or upon the Journals of either House of Congress without special leave, and special leave has been several times in our legislative history refused.

I do not want to make a mountain out of a molehill, but I suggest to the Senator whether the particular things he speaks of had not better be presented not as a petition, but be presented by him some time in his remarks on the subject, or in some other mode.

Mr. PERKINS. Mr. President, it seems to me that the right of petition and remonstrance should at all times be considered sacred and as a privileged question. In the ratification of a treaty by the Senate the members of the other House have no opportunity of being heard except by a petition or memorial to this body. I know it has been the precedent established heretofore that such petitions have been presented, and no protest or remonstrance to my knowledge has ever been made against their presentation.

Mr. HOAR. If the Senator will pardon me one moment, if it is a remonstrance against the pending treaty, I raise the point that it should be presented in executive session.

Mr. PERKINS. The point would be well taken had not the seal of secrecy been removed from the treaty. It has been printed for the use of the public and disseminated throughout the country by the press. This is a question of great moment and interest to the people of the State whom I have the honor in part to represent upon this floor, and I am sure that my friend from Massachusetts, upon reflection, will say that this is the proper avenue, the proper method and manner, by which the people may speak through their representatives to this body which represents them.

Mr. HOAR. Mr. President, the fact that the injunction of secrecy has been removed does not make a legislative session, where treaties are not pending, the proper place for presenting a petition on that subject. I respectfully submit that the petition should be presented in executive session, whether the seal of secrecy has been removed from the treaty or not. I also shall raise at the proper time, when it is presented, the question that a protest by the united delegation of a State can not be entered upon the files or Journal of the Senate as a petition.

The PRESIDENT pro tempore. The Chair holds that, notwithstanding the treaties have been printed as a public document, the

proper place to present such petitions or memorials is in executive session.

### PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of Local Lodge No. 406, International Association of Machinists, of New York City, praying for the enactment of legislation to increase the salary of machinists working in the Government Printing Office at Washington, D. C.; which was referred to the Committee on Printing.

He also presented a memorial of the Sporting Goods Gazette, of Syracuse, N. Y., and a memorial of the Scientific American, of New York City, remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the joint committee on customs of the Merchants' Association of New York, praying for an increase in the salaries of the examiners in the public stores at the port of New York; which was referred to the Committee on Finance.

He also presented a memorial of Local Union No. 5, Cigar Makers' International Union, of Rochester, N. Y., remonstrating against the importation of cigars from Puerto Rico free of duty; which was ordered to lie on the table.

He also presented a petition of Local Union No. 5, Cigar Makers' International Union, of Rochester, N. Y., praying that all the public lands be held for the benefit of the whole people, etc.; which was referred to the Committee on Public Lands.

He also presented a petition of 101 citizens of Brushton, N. Y., and a petition of 57 citizens of Moira, N. Y., praying for the enactment of legislation to regulate the sale and manufacture of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the California Club, of San Francisco, Cal., praying for the purchase of the Calaveras Grove of Sequoias, Cal., for the purposes of a national park; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. NELSON presented the petition of Eva W. Johnson and sundry other citizens of Minneapolis, Minn., and the petition of Mrs. Robert Jamison and sundry other citizens of Minneapolis, Minn., praying for the establishment of a national park in that State; which were referred to the Committee on Public Lands.

Mr. SCOTT presented a memorial of the Retail Grocers' Protective Association, of Wheeling, W. Va., remonstrating against the passage of the so-called parcels post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER presented the memorial of Willis McDuffee, of Rochester, N. Y., remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. TURNER presented a petition of the Chamber of Commerce of Seattle, Wash., praying that the survivors of the Indian wars from 1817 to 1856, inclusive, be granted pensions; which was referred to the Committee on Pensions.

Mr. LINDSAY presented a petition of sundry citizens of Louisville, Ky., praying for a reduction of the tax upon spirits; which was referred to the Committee on Finance.

He also presented a petition of sundry railway mail clerks of Frankford, Ky., praying for the enactment of legislation to provide for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorials of John B. Hurst, of Harlan; C. W. Miller, of Lexington; Clarence E. Woods, of Richmond; E. S. Albright, of Mount Vernon, and G. T. Friel, of Catlettsburg, all in the State of Kentucky, remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. FOSTER. I present a petition of the Chamber of Commerce of Seattle, Wash., relative to the appointment of a sufficient number of judges for the Territory of Alaska, and that the people of that Territory be allowed representation in Congress. I ask that the petition be printed in the RECORD, and referred to the Committee on Territories.

There being no objection, the petition was referred to the Committee on Territories, and ordered to be printed in the RECORD, as follows:

*To the Senate and House of Representatives in Congress assembled:*

It is hereby represented to your honorable body by the Seattle Chamber of Commerce that it has been an ordinary lifetime—thirty-three years—since the great district or Territory of Alaska was acquired by the United States from Russia. As a very small price was asked for the country, it was supposed by many people that it was not worth much. Though the idea was a mistaken one, these people have never been able to get it out of their heads. They have believed that it was an uninhabitable waste of ice and rock, the debris of the earth, the worthless rubbish left over after completion of the great work of creation. It was not worth while to make a Territory of it, as had been done with Washington, Oregon, Idaho, Montana, Utah, and other parts, and give it a legislature, organic act, Delegate in Congress, application of the land laws, and other advantages, as had been given to the Territories before, as in Alaska there could be no people to govern—not enough to hold